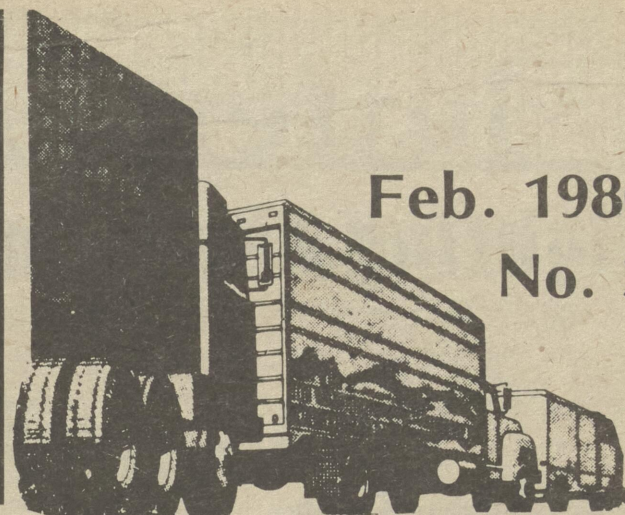


# CONVOY DISPATCH

Voice of the Teamster Rank and File Since 1975



Feb. 1980  
No. 3

Teamsters for a Democratic Union

P.O. Box 10128, Detroit, MI 48210 Phone (313) 842-2600

## Why is this Book Secret?

This book has been kept secret from the rank and file for years. In it are interpretations and rulings from the Central Conference freight grievance panels. The 'black book' is used to prepare grievances by freight employers and often by BAs.

Nearly every freight local has a copy. TDU has obtained a copy.

TDU is fighting to end the secrecy covering our grievance procedure. We are now working for an overall ruling from the Labor Department to require local unions to make all such

material available to the membership. Already, at the initiative of TDU member James Askew, St. Louis Local 600 allows members to review (but not copy) the 'black book'. You can help yourself and add fuel to the fire by demanding your

rights. All agreements between your Local and your employer are covered and should be available to you in writing.

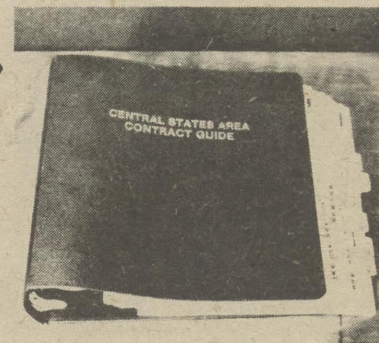
Any local TDU chapter which is in possession of materials such as the 'black book' will allow it to be used by the rank and file.

The 'black book' covers only Teamsters covered by the Central Conference freight supplements. Similar interpretation books exist for certain other areas. For example, TDU is in possession of another 'contract guide' covering some national precedents for the freight contract. All these materials should be open to the members.

### Why Officials hide the Truth

Why do our union officials deliberately hurt our chances of winning grievances by keeping these records from members and stewards? We suggest you ask them at your next Union meeting. We think the answer is **they want us confused, powerless, and at the mercy of phony 'experts' at the top.**

They also want to hide the sorry state of the giveaways in our grievance procedure. The 'black book' lists 12 relevant



decisions on Article 32 (Subcontracting, job-elimination). The score can't get more lopsided. Employers-12 — Members-0. Similar results are shown in other key sections, like casuals.

Remember, none of these giveaways can happen unless a union official votes for it on the grievance committee. You can bet there'd be fewer sellouts if the votes were also known to the members who elect them.

Our officials show their disregard for our contract rights by leaving it to the employers to produce this material. Why doesn't our Union produce materials to help BAs, stewards and members prepare grievances?

Forcing our grievance procedure into the light of day can help you win more grievances. It can help expose the sellouts and put pressure on officials against future giveaways. It can help fight for better contracts next time around.

## TDU Forces Change in IBT Constitution

In the January issue of the *International Teamster* (p. 6), IBT officials were forced to admit that the Union has clauses in its constitution which are undemocratic, which intimidate members, and that a federal court has ruled illegal.

Article 19, Section 12(b) is now null and void. This section stated that members who bring suits against the Union before they have exhausted their internal union remedies must pay the IBT's attorney's fees. The effect of this clause has been to intimidate members from pursuing change within the Union. They feared that if they failed within the Union they would be unable to continue the fight in the courts due to this punitive clause. But no more, thanks to TDU legal action.

This constitutional change is important to locals as well as to individual members. For example, when TDUers and Local 30 sued both Helms Express and the Eastern Conference of Teamsters over firings for productivity, the International wanted to use this clause of the constitution to fine Local 30. Now this kind of threat is gone forever.

### The Whole Story

But while the IBT did print a notice of this constitutional change, they still didn't tell you the whole story. They didn't tell you that they fought in Federal district and appellate courts before they would consent to having the notice printed in the magazine. And they didn't tell you how it took years of legal work by PROD attorney Arthur Fox to win this victory. They want to hide the fact that John Pawlak and his fellow TDUers in Local 764 had to live for years with the threat of a \$2,635 fine

over their heads.

And they didn't bother to tell you the reason that John and his fellow Teamsters got involved in this fight in the first place. The reason was simple; Interstate Motor Freight, their employer, was unfairly changing the dispatch rules, and Local 764 was letting them get away with it. To pursue the suit against the company the law required that they include their Union as a defendant for its failure to represent them. The local then did the company's dirty work, punishing the rank and filers such as John for daring to challenge the company's sweetheart dispatch rules.

But John Pawlak noted, the change has already been felt in



John Pawlak

Local 764. "In our dealings with them" says John, "they are not so quick anymore to just cast us aside. The relationship is different because we know we will go as far as we have to to show that our wishes should prevail."

## TDUer Wins Hartford Re-Run

On January 20, an election 're-run' was held in Hartford Local 559, and the big winner was TDUer Bob Dubian.

Dubian won the top position of Secretary-Treasurer in a record turnout of members. Some 1800 people voted, compared with 1200 in the December election. The first election saw Dubian win a cliff-hanger, which the Joint Council Executive Board quickly overturned in hopes of keeping reformers out. It backfired.

"The members resented the trick. More people than ever saw the need for change, and it showed in the results" Dubian told *Convoy Dispatch* after he won the re-run by a 200 vote margin.

The 4,000 member local has members at two large grocery warehouses, First National and Sweet Life, along with numer-



Bob Dubian

ous other shops and crafts. TDU has been active over the past year in unifying people behind democratic principles, and involving people in a movement for change. Dubian edited the chapter's newsletter, *The Link*.

The incumbents had first tried to stop TDU by ruling candidates off the ballot, based on non-payment of dues as a

result of confusion over the check-off situation at First National almost 2 years ago.

A suit was filed over this matter, and TDUer George Compagnon, just days before the January 20 re-run election, won the right to stop the election to hold a hearing on restoring other TDU candidates to the ballot. An injunction was granted by the Second Circuit Appeals Court in New York stopping the election, and ordering a hearing on TDU's claim that a pattern of discrimination against TDUers and reformers existed in the IBT. An eleventh-hour tactical decision by TDUers was made to go ahead with the second election, since it had been delayed long enough.

Dubian can anticipate resistance from employers and possibly from officials in the Team-

ster hierarchy. "I expect it. But I was put in by the members to fight for change. Not to sit back and go along with the program. We want to encourage membership involvement in the Union and in contracts, and build a stronger Local with better contracts. We still need a TDU in the area, especially to make changes where needed in other locals."

**FLASH!**  
**STOKELY STRIKE**  
**SPREADS!**  
**Rank & File Extend**  
**Pickets!**  
**Page 11**



# Letters.....

## Fighting Harassment in Toledo

Dear TDU,

I work for Interstate Motor Freight System in Toledo, Ohio. The things that they are doing to

some of us are having a severe mental and physical strain on us and our families.

IMF has sent people letters for being unavailable for work, even though it is their regular day off, they are sick, they are out of hours, or they have permission to be absent. Disciplinary action has been threatened. All of this is leading up to one thing: either you do like the company says or they will take their trumped up charges against you and call a hearing for disciplinary action.

There are some things you can do to get the union and company in line. You might inform them of a 1974 decision by the Federal District Court decision in Roanoke, Va. in 1974. The judge ruled that a company can be convicted of violating U.S. Dept. of Transportation regulation 392.3 if they push you to drive a truck when ill through the use of warning letters. They will be guilty even if they

don't directly order you to drive, but merely use harassing letters to get their way.

Faternally,  
Gary Kuhn  
Local 20



Gary Kuhn, Local 20

## Birthday Pay Stolen

Dear TDU,

I am writing in regards to Birthday Pay which was supposed to be retroactive as of April 1, 1979. Well there have been numerous grievances filed on this by me and others whose birthday fell between April 1 and April 10 of each contract. "DISCRIMINATION" I guess and I'm Damn Mad and so are at least 3 more working for C.F. at El Paso and that's not counting numerous others that I've talked to here, including Roadway and Yellow drivers. What has the union traded away in order to come to this undoubtedly "Sweetheart Agreement"?

Like I say, Mr. Fitz, if you're reading this, please tell me Why? aren't we all Teamsters? And if it is something you can't solve, please next contract could you not discriminate against your brothers and negotiate for a Floating Holiday or another Sick Day, or whatever. Us 'April Fools' are hardly such, and I know I am speaking for everyone who had the misfortune of being born in the early days of April.

Sincerely,  
Norman Duncan  
Local 941

## New Hope... Time To Organize!

Dear TDU,

This past week I happened to get a copy of your January issue of CONVOY DISPATCH. It has given me a new hope and direction. I had pretty well set in my mind that I would wait until my 50th birthday and take an early retirement and get out of this rotten industry. I have spent the last 22 years five months as a Teamster: six years prior as an owner-operator and wildcatter. I also spent nearly six years as a steward in Local 257

which has since merged into the present Local 200 in Milwaukee.

I work for Schwerman Trucking. We have been losing out steadily on working conditions, rights, and moneys ever since 18 years ago when the Local backed the Company in forcing a 48 hour week down our throats. When any local or union completely ignores the rights and/or demands of the workers who basically pay their wages it is time to clean house. One or two persons alone can do nothing. But I feel that with an organization such as yours, NOW is the time to reorganize, defeat these sell-out artists, and put in people who will protect our rights and livelihood as Teamsters in a national organization.

George Feld  
Local 200

## Bylaws Reform Action Spreads

### Election Bias Spurs Cleveland Bylaws Change

On January 23, the Executive Board of Cleveland Local 407 received proposed bylaws changes calling for an elected Elections Committee and other reforms to guarantee fair local elections.

Since that time, petitions to back the bylaws change have swept the local. The need is obvious to many members in this local where absentee ballots cost the election for many candidates last time.

As the Cleveland TDU newspaper, *Speak Out*, stated, "It is a simple change, but one that is sorely needed, rank and file control of our Union begins at the local level and begins with the election process. Right now the Executive Board oversees the election process and they are almost always candidates themselves."

The campaign to pass the bylaws is being organized by the 407 Better Bylaws Committee, a coalition which includes TDU activists and other members.

### Hagerstown Local 992

The Tri-State TDU Chapter was successful in getting six bylaws changes read into the minutes of the January Local 992 meeting in Hagerstown, Md.

These change include elected BA's, elected stewards, a stewards council, the right to submit bylaws changes at any Union meeting, majority rule on bylaws changes, and the right to recall officers.

Hagerstown and Cleveland are among some twenty locals where bylaws reform campaigns are rolling. *Convoy Dispatch* will report on the results if they are sent in to us.

#### Correction

In CONVOY DISPATCH #2 we incorrectly stated that Local 282 member Patty Facazio was reinstated by the NLRB. He was not. We apologize to our readers for the error and stand corrected.

### Driver Beats Navajo/ABF

Hello you all,

Just a few lines to inform you that I won my case against Navajo. It took 2½ years to do it. It shows just how much we can do if we find the men and have the backbone to stand up to the company and demand just what is coming to us.

My case consisted of inhaling a dangerous substance on Dec. 15, 1976 and having a heart attack on Dec. 21. I received no money and was unable to work. The great Local 710 could not give me a dime, but we paid the big shots large sums of the men's money. The men should get off their asses and demand that these officials be removed from office. We should also demand an end to overloads and unsafe equipment; an 8 hour day, 5 day week, . . . .

Thank you and we'll see you soon.

Henry F. Jones  
No. Indiana TDU/PROD

## "NO LOCAL CAN AFFORD TO BE AN ISLAND"

Dear TDU,

Teamsters for a Democratic Union knows that a person elected to a union office must have the knowledge and character not only to perform well at the local level but must also be able to uphold the rights of the rank and file members at the International level. There are many issues where the best interest of all Teamsters are involved, and these issues must be taken to the International level to be dealt with successfully.

No local can afford to be an island. One example is our health and welfare and pension funds. It has been the practice of the trustees of these funds to loan millions of dollars to finance gambling casinos, racetracks, etc. without some of these recipients

even bothering to keep up on the interest payments.

But there is good news. \$3 million is soon to be returned to the Central States Health and Welfare Fund under the terms of a tentative settlement to a lawsuit filed by two TDU members.

Finally there is a clearing in the tangled forest of the Central States Funds.

Faternally,  
Pat Kileen  
Local 299

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## WHO WE ARE

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers—every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 22-member International Steering Committee was elected in November 1979 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. If you agree with our Rank & File Bill of Rights then how about joining us?

### TDU STEERING COMMITTEE

**Co-Chairs:**  
Doug Allan, Local 208  
Pete Camarata, Local 299  
Frank Greco, Local 478  
Ted Katsaros, Local 282

**Organizer:**  
Ken Paff, Local 407

**Trustees:**  
Eileen Janadia, (Local 337)  
Gary Kuhn, Local 20  
Ray Kuszelewski, Local 938  
Pleasant Stephens, Local 710

Bilal Chaka, Local 692  
Denise Gellespie, Local 676  
John Gomez, Local 70  
Clyde Johnson, Local 528  
Mary Kaylor, Local 70  
Gary LaFlame, Local 332  
Lincoln Merrill, Local 391  
Mel Packer, Local 800  
Paul Poulos, Local 390  
Bill Slater, Local 468  
Bill Steinberg, Local 390  
Hugh Thompson, Local 600  
John Torbet, Local 468

## RANK AND FILE BILL OF RIGHTS

**I. DEMOCRATIC BY-LAWS.** All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

**II. DIRECT ELECTION OF OFFICERS.** General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

**III. A FAIR GRIEVANCE PROCEDURE.** Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

**IV. PRESERVATION OF WORKING CONDITIONS.** The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

**V. SAFETY AND HEALTH.** We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

**VI. EIGHT HOUR DAY AND FIVE DAY WEEK.** Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

**VII. A DECENT PENSION.** Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

**VIII. JUST SALARIES FOR OFFICERS.** A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

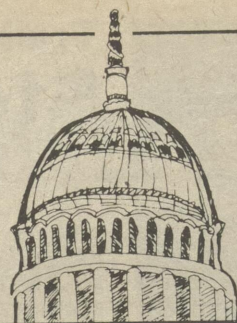
**IX. EQUALITY AMONG TEAMSTERS.** Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

**X. END TO DISCRIMINATION.** Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.





## NEWS FROM THE WASHINGTON OFFICE



The Washington office of TDU—formerly PROD's national office—is the rank and file's voice in the capital. Litigation, designing new legislation, reforming safety regulations concerning all aspects of working conditions and truck design—we're working for you. We have a Professional Drivers Council of TDU to help. But we need your input.

PROD/TDU  
Room 612 — 2000 P St., NW  
Washington, D.C. 20036

Fitz letter a fraud...TDU fights back

# Grievance Panel Oks Overweights

On Monday, December 10, Orlow Weeks, PROD/TDU activist from Grand Rapids Local 406, was dispatched to Leechburg Pa. When Orlow stopped at the scales at the Toledo 5 Truck Stop he discovered that his employer, Direct Transit Lines, had sent him out from Grand Rapids with a load that was 1,170 over the Pa. weight limit of 73,280 lbs.

Orlow called the company. They didn't contest the fact that the truck was overweight. But they said that he should drive it anyway.

Orlow knew that under Article 16 section 1 of the National Master Freight Agreement, he didn't have to drive the truck. It was an "acknowledged overweight". He refused to drive further. In retaliation the company issued him a "voluntary quit slip". In plain English, he was fired.

With clear language in the contract Orlow thought he had a good case. And Fitz's letter of March 13, 1975, to all locals who signed the NMFA, should have helped. It said: "If a truck is overloaded under the law of a state where it is to be driven our members are not required to pull it."

But at its January 9 meeting while the Michigan Joint State Committee gave Orlow his job back, they denied him over 4 weeks back pay. They told him in no uncertain terms, that he was "directed to follow company instructions in the future."

### Union Safety Dept. Falls Down

After the Weeks case was brought to our attention, TDU contacted R.V. Durham, Safety Director for the IBT. He assured us that he would do everything in his power to prevent these sort of firings in the future.

We informed him of the upcoming case of Chuck Hennessey, a tank driver for Transport Service in Chicago. Chuck had been fired on Jan. 18 for refusing to pull an acknowledged overweight. On Feb.

1st the Chicago grievance committee upheld Chuck's firing. Whatever actions our Safety Dept. and Mr. Durham may have taken, they clearly had no effect.

### A Growing Trend?

This is the third case of firings for refusal to pull overweights that have come to TDU's attention in recent weeks. On August 3rd Del Messenger, steward at Schwerman

Trucking in Milwaukee, was also fired for refusing to pull an acknowledged overweight. Drivers at Schwerman found 30 units over the limit. After deadlocking at the local level, the grievance was decided in Chicago. Verdict: Del got his job back with no back pay. This meant a loss of some three months wages. Del protested to the NLRB and won the back pay, although the company has yet to pay up.

That's why we can't afford to have 'safety representatives' like George Chiavola (see separate article). That's why we can't rely on phony letters from Fitz. And that's why TDU will continue to fight each case through the NLRB to guarantee a drivers right to refuse overweight loads. We will never back down on this principle, originally won by PROD in the famous Banyard vs. McLean case.



Orlow Weeks, Local 406

# Your Rights--New BMCS Regulations

On April 1st, the new DOT truck maintenance regulations take effect. These new rules cap a 7 year struggle by PROD to put some teeth in the motor carrier safety standards. The purpose of this article is to inform drivers of their rights and obligations under the new rules.

The primary effect of the change in the rules is to make available to the driver performing the pretrip

safety inspection a copy of the previous driver's post-trip vehicle condition report (VCR). Drivers must continue to complete post-trip written reports, specifically identifying mechanical defects discovered during the course of their tour of duty.

Previously, drivers had little incentive to pay attention to the VCR because the Carriers filed them in the trash. Beginning, April

1, however, carrier management must not only retain the report, they must **certify** in writing on the report either (1) that the defects noted by the driver in fact have been corrected, or (2) that they could not adversely affect vehicle safety and that repairs are therefore not necessary. And the completed report must be in the tractor for the next driver assigned to the unit to examine.

**Q:** Suppose there is no report in the cab or the report has not been properly certified, but the dispatcher orders you to "drive it or take a walk"?

**A:** Demand that the report be produced and/or that an authorized official execute the certification. Fight it out, but don't put your job on the line unless the vehicle is in fact abnormally dangerous and you are prepared to prove it. The problem is that the law has not yet been changed to give you the right to refuse company instructions to violate the law and as a rule the union won't back you up and get your job back with back pay if you're fired. However, report the incident to the DOT at once because your company has just committed a crime.

**Q:** Can management make me sign the VCR and what does my signature mean?

**A:** Yes, the new regulation does require that you sign the VCR. But your signature means nothing more or less than that you are satisfied that the vehicle is safe or that all needed repairs have been made. The purpose of the signature requirement is only to assure that you have checked the VCR during your pretrip inspection. **Your signature gives rise to no liabilities.**

## Triples in California?

Several years ago the State of California and the trucking companies tried an experiment. They set up certain routes on which the companies would pull triples. The California Highway Patrol escorted these trailers. They were testing whether to allow triples in California. The test was concluded, but there never was any firm action taken by the state of California on whether or not to permit Triples.

### Are They At It Again?

On December 19, 1979, at the speedway in Ontario California, there was an interesting meeting. The San Bernardino Association of Governments, trucking employers, and Teamsters officials were all present. Several trucking companies put on a show of pulling triples around the speedway (and you can bet that the trailers and brakes had

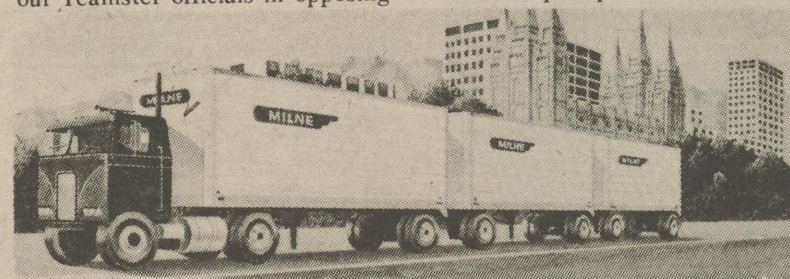
been well adjusted before the show).

The companies, naturally, were in favor of the Triples. The Teamster officials were opposed. On Jan. 24 I spoke with a representative of the San Bernardino Association of Governments. They told me they voted not to support triples in California **at this time.**

### What Can We Do

We must keep the pressure on our Teamster officials in opposing

Triples in California. We can inform our fellow Teamsters of this threat to our safety and jobs. Remember, while doubles are harder to stop in an emergency than a single trailer, Triples will be even worse! And for every set of 2 Triples the company pulls, we will lose one drivers' job. Now is the time for letters to state senators in Sacramento and Governor Brown as well as resolutions on the union floor to stop Triples in California.



## Washington Wire

### New Anti-OSHA Bill

The most serious attack to date on the Occupational Safety and Health Act is underway. Its name is S.2153. According to its sponsors it would exempt 90% of all workplaces, or 67% of all workers covered by OSHA, from all OSHA safety inspections.

The basic idea of the bill is that if a company has a good record one year they are free to commit mayhem the next. Any employer who reported that no one died on the job and that there were "very few" injuries that resulted in a day or more of lost worktime, would be free of OSHA inspections for the next year. All an employer would have to do to get such an exemption would be to file an affidavit

stating that they meet the requirement. And once they have this exemption, OSHA could only inspect the workplace if there were an accident that hospitalized at least two or more workers. The bill also has a provision which would enable employers to enjoy a ceiling of \$700 for "serious" violations if they are caught.

### Equipment Committee

TDU/PROD's Washington office has sent a notice to the joint union-management Equipment Committee mandated by Article 16 sec.6(j), to study questions of truck design. The PROD/TDU letter stated that it is our hope that progress is made in restoring hand valves on all trucks that rubber

suspension blocks are banished, that noise and heat are eased in the Cab, that power steering is required on all trucks, that the cab interiors are designed so that the seats can move 20 inches back from the steering wheel, and that cab ceilings are raised by having the roof of the cab molded into the wind deflector avoiding many neck and head accidents.

We are watching the results of this committee which, under the contract, must report on its findings by April.

### "Vocal Drivers" Demand Safe Equipment

NHTSA is focusing on truck design as a serious safety problem for the driver. According

to **Transport Topics** "The agencies shift in focus...can be traced to increasingly vocal drivers and drivers groups. Last September, NHTSA held a truck safety meeting with the Bureau of Motor Carrier Safety in which a group of drivers blamed truck manufacturers and motor carriers for making their workplace more hazardous."

The "group" of drivers they're talking about, of course, was the 40 PROD/TDU members who swamped the safety hearings on Sept. 10-11 in Washington DC.

PROD/TDU will be participating when the NHTSA panel from the Sept. 10-11 meeting reconvenes on Feb. 19. We will be presenting detailed statements on how trucks can be constructed so as to provide

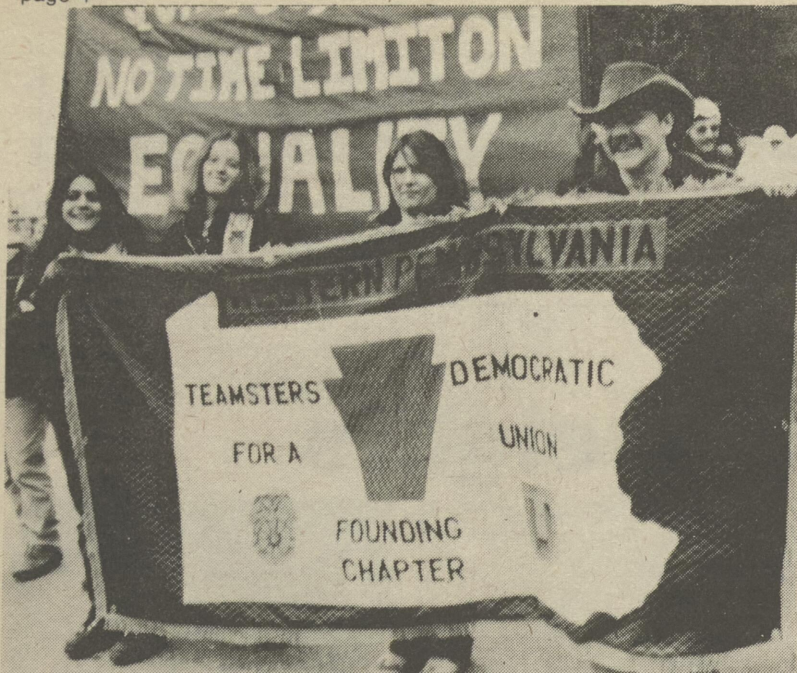
more safety, protection to the driver.

### 4 out of 10 trucks

Four out of ten trucks. That's the percentage put out of service for safety violations by the Bureau of Motor Carrier Safety (BMCS) for the year ending September 1979.

The result: more death on the road. In the past three years the number of truck drivers killed has gone up by 50% and the number of persons killed in truck related accidents has gone up 47%. In 1979, 1,248 drivers lost their lives. The percentage of defective trucks has gone up as well, with the 1979 figure almost 20% **higher than the comparable 1977 statistics.**





## Labor Marches for Equal Rights in Virginia

On January 13, 8000 trade unionists and women marched in Richmond, Virginia in favor of the Equal Rights Amendment, which that state has not yet ratified. The march was endorsed by many different unions, including Teamster Joint Councils 55 and 83. Unfortunately, of all the unions endorsing the march, only the IBT failed to send an official contingent.

The TDU Convention in November endorsed the march, and TDU was represented by members of the Western Pennsylvania and Cleveland chapters who travelled to Richmond.

Speakers at the rally noted that 12 of the 15 "unratified" states are also "right to work" states and that women's rights and workers' rights often have the same opponents. In Virginia, this has been dramatically underlined by the long and bitter battle of the Steelworkers Union to organize the Newport News shipyards.

The Teamsters would be stronger in many battles if the co-operation of the Labor Movement and its allies were stronger and more effective. This is certainly true of the battle Teamsters are waging against destructive deregulation of the trucking industry and the current Teamster boycott against PPG.

But co-operation is a two way street. The International has thumbed its nose at the rest of the labor movement with its behavior on issues like equal rights. All major women's organizations have called for a boycott of non-ratified states by organizations holding conventions. Most unions have honored the boycott. But not the Teamsters.

Despite the Teamsters endorsement of the ERA, our Union is still scheduling the Union's 1981 Convention for Las Vegas. The Nevada legislature has refused to pass ERA.



Shoc Waves—the news column of the Steel Haulers Organizing Committee

### CUT RATE FRANKENSTEIN

The rate cutting war in the steelhaul industry has gotten so bad that Bill Wolfe, head of Youngstown Cartage, complained at the Dec. Competitive Review Ctte, "Apparently our approval for Ohio Fast Freight before this review board in September was just permission to cut rates, not to be competitive." That's the pot calling the kettle black.

Wolfe then joined the stampede with 8 cut rate requests, joining 9 other companies with dozens more. Only 2 showed any evidence of competition with rail. The rest were fights between union carriers, with the drivers as the losers. The requested cuts ranged from one or two cents per hundred to an across-the-board 4% cut from Sentele and a switch to the cheaper overall rates of the "304" tariff section from Lake Shore.

The Union reportedly told the carriers no cut would even be considered till it was approved by the drivers affected. Gary Local 142 says this means a union-called

meeting with no coercion and a 2/3's vote to approve a cut. This is a good policy, but just one local can't change the situation.

Last summer, Michigan officials did Brada's dirty work in getting the 3% trailer cut and Detroit Local 124 is no longer even holding general meetings. Rumors are also out that the Eastern Conf. has approved a 4% general rate cut for Artim, Lake Shore, and Branch. It'll take an overall policy against cuts to stop this war and rank and file pressure is the way we'll get it.

More on the rate war next issue. A wholesale contract rewrite for Lake Shore brokers has been OKed by the Eastern Conf. They'll get 80% of revenue BUT will pay all truck and H&W expenses previously paid by the company. The driver's check will be 17% of revenue.

**SHOC MEETING**  
1 Year Later  
Fighting Rate Cuts &  
Contract Erosion  
March 29

For info: 412-232-3230 or  
313-842-2600

## Trailer Grievances at National Committee Steelhaul Officials Talk Tough -- Still No Action

Grievances on the cancellation of owner-operators' trailer leases were heard by the National Committee in Washington, January 28-29. Companies use cancellations to get the 72% contracts they could not win in the strike. Now it is time to put on extra pressure since a special committee is now studying the problem and will report to the

next panel meeting. (See below for info on how to file grievances.)

When the companies stood their ground, Union officials Roy Williams, Don Sawochka, and Bob Cassidy reportedly pointed out they had other pressure they could use. They have the complete power to stop this obvious subterfuge of the contract—the grievances can be

deadlocked, strike sanction can be granted, and the companies will settle in days. The question now is will they use it? It depends on how much "encouragement" they get.

You can reach them at the following numbers: Roy Williams- (816) 924-3400; Bob Cassidy- (216) 453-0135; Don Sawochka- (219) 949-1550.

## Grieve it! a series by Ken Paff How to Write Grievances

In the last column, we discussed "what is a grievance?" In it we defined a grievance as any unjust act, practice or condition which management has the power to correct. This could include: 1) contract violations; 2) violation of written precedent; 3) violation of past practice; or 4) unfair practice.

While some BAs only recognize contract violations, we have to marshal our arguments and backing to win a just definition of what is a grievance. That is part of what TDU is about. The place to start is by filing.

### Tips on Writing Grievances

1). **Get the materials you need.** Grievance forms from your local should be readily available. You have a right to them. If they are unavailable, use a plain piece of paper as a last resort.

You have a right to your contract and any supplements, riders, or other agreements between your local and company. Get them. Ask for them in writing, via certified mail and give them a 10 day time limit to respond. Contact the Labor Dept. and TDU if you don't get them.

2). **Keep your grievances concise.** Basically, you need to include just three things in writing a grievance: A) What is the complaint; B) The date of the complaint; C) What remedy do you ask for.

Your written grievance need not be a detailed justification—you will just be giving away your arguments. Never list such things as witnesses, etc. You will be tipping your hand. You can always supplement your grievance later with additional written information or verbal testimony or argument.

Don't blow your cool or mix up more than one problem on one grievance. Stick to the point.

Some grievance forms call for you to specify which article of the contract was violated. Don't answer unless you are absolutely certain. You have the right to demand representation without such "trick" questions. You may not know the right article, or there could be more than one that is relevant, or there could be none at all. How could a contract that was written maybe 2 and one half years ago anticipate every problem that could come up. It couldn't.

3). **Watch your timing.** Almost every contract has a time limit for filing grievances. For example, under many Teamster contracts

you have 10 days to grieve discipline against you. And 30 days from the end of the month to grieve monetary matters. But this is up to your contract. You should know it. And there are limits that bind the company also. For example, most NMFA supplements give the company 10 days from when they know of a matter to discipline you. Demand this be enforced.

Guarantee your "timeliness" by sending your grievance certified mail or punching it on the time clock when you file it. In general, important correspondence with the company and with the union should be sent by certified mail.

4) **Grieve warning letters and reprimands.** You should grieve

warning letters, even if the grievance procedure won't hear them. If you grieve a warning letter (again, watch your time limit) you will have a chance to defend yourself if the letter is used against you in later discipline. If you do not grieve it, it stands uncontested.

5) **Keep records and demand information you need.** Keep records, dates, trailer numbers, names of witnesses, jot down quotes from your supervisor while fresh in your mind. Avoid comments that can be used against you. Ask your BA to get what information the company is going to use against you. He should ask: "Is this your entire charge against X?" or "We demand to have the file you have on X." If you are a steward, outspoken, or considered a "dissident" you should consider carrying a small diary in your pocket to keep all notes, dates, times, etc. Don't enter anything that can hurt you or any other union member.

All these tips won't guarantee that you'll win. But you never win if you don't fight. And filing a grievance is one step. Next issue we'll review ways of backing up a grievance with rank and file pressure.

## Trailer Grievance Guide

This list is not complete. Suggestions are welcome. These may not always apply since your company may have work rules or past practices which change the situation. **The key idea is—file grievances.** Even if you don't know all the technicalities, write up something. A flood of grievances will help put pressure on both company and union.

### Trailer Lease Cancellations

If your company simply cancels your trailer lease and tells you to hook onto a trailer they own, no one has yet won a case on this. But you should file now anyway. Three lines of attack are possible.

1). Art. 56, Section 18 (owner-operators) says they can't cancel leases as a means of denying employment. It will help to show that the company required a full rig as a condition of employment.

2). Your lease may be written so cancelling only one part is not allowed. Even if this isn't in the lease, you can argue that canceling part, cancels the whole lease. Then you could withhold your tractor and demand fleet or company equipment to drive. Appeal to Art. 56, Sec. 2, and Art. 43, Sec. 1 and 3 and lease terms. This argument is part of the National grievances and is unresolved so far.

3). Article 56, Section 16 says they can't cut your drivers wages by paying you less than the actual cost of operating your equipment. You must produce figures which show that 33% of revenue for your tractor plus the fuel surcharge will not pay the actual cost of operating. No one has filed this grievance yet to our knowledge due to its complexity. But it would be a strong case if properly made. If you've got the records and will do the work, give us a call and we'll help.

### Pulling a Trailer the Company Leases from Another Owner

If the company leases a trailer from Fruehauf or some other outfit, and forces you to pull it in place of your own, refer to Art. 32 (subcontracting), which says they can't subcontract any service of the type assigned to the bargaining unit. Providing a trailer is clearly a service you were required to perform to get a job.

### Cut Rate Trailer

If you are forced to pull your own trailer for a cut rate percentage (as in the Brada-Miller, W.H. Fay, or Branch 10% deals), you should file each month for the 3% difference. Art. 56, Sec. 21 sets the trailer revenue share at 13%.

### Pulling a Company Trailer

If you are stuck pulling a company trailer, whether they own it or lease it, Art. 16 [Equipment Safety] prohibits forcing it on the road unless it is safe and equipped according to the Motor Carrier Safety Regulations of the DOT. See parts 393 and 392. If you write up equipment that is unsafe and are still told to drive it, the contract says you can consult the Union first.

**Downtime.** When your equipment is down, file under Art. 51, Sec. 4 for time delayed paid at the hourly rate. Log appropriately.

**Runaround.** While the company is fixing your trailer, file a runaround for your drivers pay and tractor percentage for every load dispatched that you could have run if not out of service. Refer to article 45., Sec. 4.



## North Carolina Teamsters Fight Back

# Pilot Tries "Productivity" Harassment

On December 6, 1979 James F. Langley was discharged from Pilot Freight Carriers in Winston Salem N.C.. The charge: "Failing to perform a fair day's work for a fair day's pay."

The motive: to intimidate the employees into becoming robots. Brother Langley, who has worked at Pilot for 11½ years and never had any problems doing his job is a "test case". If they can fire one man, they can fire anyone. Management

has spread the rumor that they would like to get rid of "the bottom 20."

Langley and his fellow Teamster members of Local 391 are not taking this lying down. They have demanded action from their local (which is headed by our International Safety Director, R.V. Durham). Langley has retained an attorney thru TDU and members are joining TDU to organize to stop this vicious system.

So far the case was deadlocked by the Carolina Bi-State Grievance Committee and will go to the Eastern Conference in April.

## Los Angeles CF Sandal Scandal

"ACTION PAYS"

When Consolidated Freightways recently opened their new downtown LA terminal, Teamsters there were greeted with a list of ridiculous and degrading work rules. No teeshirts, no radios, no tennis shoes.

Management was bent on enforcing these outrageous rules. Shop steward, Hank Salazar, was sent home for wearing sandals. Management later apologized and paid Salazar for the lost day. But they continued to say he could not wear tennis shoes.

The next day, half the drivers wore tennis shoes. These drivers were given verbal warnings which, according to the terminal manager, were equivalent to warning letters.

The next working day, many of the drivers again wore tennis shoes. Management went crazy and suspended them. They tried to get replacements from the hiring hall, but had no luck. By 9:00 over 30 drivers were standing outside and management had to back down. They pleaded with the drivers to return, offering to rescind the warning letters. The drivers returned to work, and were clocked in at their regular starting time!!

Langley says he doesn't want a half-way deal of getting his job back with no back pay. "Why should I be the scapegoat. And why should we let them get away with this and bust our union conditions?"

The company has already had one chance to present its case against Langley: at the state unemployment security commission in Winston Salem. Langley's

attorney questioned Arthur Scott of Pilot management about his record and if they have any facts to prove Langley has not done his job. It was an open and shut case: James Langley is receiving his unemployment compensation. If our grievance procedure contains any justice it will do as well. And James Langley and rank and file Teamsters are working to make sure it does.

## Layoffs in California

### "You'll Wonder Where The Yellow Went"

On Friday, January 11, Yellow Freight System laid off 30% of their employees on the West Coast. The reason given: dropping profits. Yellow is **not** losing money in California. They just aren't making as much as they used to.

#### Whose fault is it?

You guessed it. According to management the employees are not putting out enough work. That is hogwash! The employees are putting out the same amount of work they did two years ago when Yellow was the highest profit making trucking company in the country. The LA terminal manager told several stewards about a week before the layoff that Yellow was not going to pick up small shipments or unprofitable shipments.

This is against the law. At the time of the layoff all kinds of freight was available. In fact, Yellow had trailers against the fence, just sitting there, already loaded.

#### Regular employees are casuals!

We have been told many times that there is no such thing as a regular employee being a casual. This is not true. Just ask the employees of Yellow in the LA area. After the first week of the layoff almost every employee is being called in on a day-to-day basis. Not only do they want line drivers to baby sit the phone, local drivers are being called in the morning and the company expects them to be to work in one hour or less.

#### You'll be the last to know.

While rumors are running wild about what Yellow is really up to nothing has been confirmed at this writing. One thing is for sure: when a company the size of Yellow--3rd largest trucking company in the US--lays off 30% of its employees when freight isn't that slow, they are up to something. And you can be sure--the employees will be the last to know. But we can try to change that by pooling information through TDU. If you have information on the Yellow layoffs contact TDU in Detroit or the So-Cal office, telephone: 213-866-8862, 9074 Artesia Blvd, Bellflower, Cal. 90706.



## Spotted Trailers Steal City Work

### CF Giveaways in Jersey

One of the major causes of unemployment in the NY-NJ area is in spotted trailers--the practice of having the city drivers leave the trailer at the dock and the shipper or consignee have their employees unload it. This means fewer jobs for our brother and sister Teamsters who are covered by the NMFA.

Consolidated Freightways South Plainfield terminal is under contract with local 478 and employs less than 20 drivers. Yet it spotted over 300 trailers in 1979. The carrier portion of this corporation had a gross revenue of \$890 million in 1979. The terminal itself has an unbelievable operating ratio of 85%. Yet they persist in spotting trailers, despite strong language in the 478 rider to the NY-NJ supplement to the NMFA to the contrary.

Ed Sorenson, a steward at Whelan trucking in Staten, N.Y., reports that on Jan. 26 at a drivers barn meeting, the issue was raised

of allowing Whelans to spot boxes as a means of relief to the contract. Why is Trustee Gilbert of Local 807 asking these men to give up their job security when the contract states otherwise?

CF and Whelans are two companies that have consistently made profits through the years--and are continually demanding economic relief. It's time our union representatives enforced the contract especially when this can decrease the number of our unemployed brother and sister Teamster members. Considering all the negative aspects of spotted trailers, we can only ask: "Is there a Scheme?"

There are a few areas in the country that prohibit or limit this job eliminating practice--Pittsburgh, Chicago, Northern California, and N.J. Instead of giving it away, this protection should be extended to the entire NMFA to provide some measure of job security

## Right To Join TDU At Roadway Ft. Wayne

On January 15 following the decision of the US Court of Appeals (7th Circuit), the NLRB ordered Roadway Express to post the following notice at the Fort Wayne Indiana Terminal:

"WE WILL NOT in any like or related manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their choosing, to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any or all such activities."

This notice was the result of a long battle by PROD/TDU member Dick Hughes, who had been fired by Roadway on the pretext of absenteeism. While he finally won his job back, he was denied back pay. Still, Dick won a victory for all Teamsters at Roadway by exposing the company's discrimination against PROD/TDU members and supporters.

Dick Hughes also exposed Roadway's intimidation of its employees

as part of its campaign to defeat his NLRB charge. They tried to pressure a witness to hurt Dick's case by using harrasing inquiries. As a consequence Roadway has had to post a notice promising to stop this sort of behavior as well.

Roadway didn't want to post these notices. They fought it out to the Court of Appeals rather than comply with the NLRB order. But in the end they were beaten and had to promise all of their Ft. Wayne employees that they have the right to join and organize for TDU.

## Match That, Management

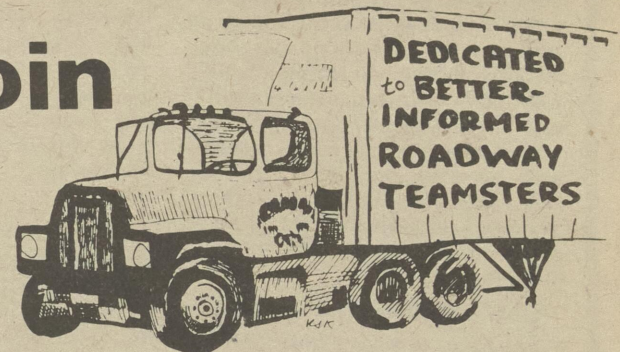
TDU has figured that the average checker on the Tannersville dock handles at least 70 bills a day, 10,000 bills per year. In a nine-month period each checker handles 7500 to 8500 bills. This means that given the 5 mistakes or out rule, that you can't make a mistake for more than 1 in every 1600 bills or so. At that rate a worker who had a 99% perfect work record would have been fired over 20 times! Let management try to match that feat!

## Why No Limits On Casuals?

Since there is nothing clearly defined in the Central Pennsylvania supplements on how casuals are to be worked, management is taking advantage of the situation.

Roadway's dock in Harrisburg reports that about thirty to fifty casuals are being worked on any given week. This is not on a consistent basis--and is less evident now that work is slow. But casuals are almost always being used, undermining the job security of full timers. In Tannersville management is continually abusing casuals, taking advantage of their lack of protection as to shift scheduling and other matters.

The wording of the supplements are vague, but they do require that a list of casuals should be sent to the local each month. This list should be available to members. Careful study of this list could determine many interesting facts, such as whether these casuals are paid up members and whether the employers are giving consideration to full time employees who are laid off or working only a few days a week.







TDU took a hard look at IBT organizing, and discovered that despite all the tough talk about organizing in recent years the union's actual success rate in representation elections has been **steadily falling**. In 1969 the IBT won 55% of the representation elections it entered. But by 1979 it was losing more elections than it won, winning only 45%. Twenty five years ago 30% of all workers belonged to unions. Today, only 20% belong, and the proportion is dropping.

#### What's Hurting IBT Organizing

A big part of what's holding back the IBT in organizing non-union companies is management's increasingly aggressive union busting tactics. They have banded together into outfits such as the 450

company Council on a Union Free Environment. They spend millions on anti-labor legislation. They often hire one of the 1,500 professional union busting consultants using techniques that range from old fashioned intimidation to weeding out pro-union job applicants. One such firm, Modern Management Methods, boasts a 98% success rate.

This half billion dollar a year union busting industry also specializes in union decertification elections. In the last 10 years petitions for decertification of unions have gone up by 300%. The Teamsters are the #1 target of decertification drives, accounting for 34% of all decertification elections. (See separate story on CBS Records).

## Viking: 800 Workers Who Should Be Organized

Five years ago, Viking was a small non-union firm. Now, with the help of cheap labor—sub-standard benefits 1/2 to 1/3 of union scale—Viking has grown into the second largest non-union freight company in the country, employing 800 people.

Viking starts its employees on the dock where they are encouraged to work their way up to line driver over a three year period. With a wage scale of \$4 to \$9 an hour, the employees see Viking as a way to learn to drive a truck before moving on to better wages and conditions with a union company. Doug Allan, LA TDU Activist said: "A lot of workers at Viking are under the false impression that they have a good thing going—but what about tomorrow? Without a union, if they get hurt, or the boss doesn't like them, they're out on

the street."

Viking employees aren't the only ones who are endangered by their lack of a union. Viking advertises to shippers that while Willig, PMT, System 99 and the other union companies in California can't haul freight during a strike, **Viking will**. Not surprisingly, Viking is growing rapidly as shippers give **our** freight and our jobs to Viking.

While Joint Councils 7 and 42 are balking at spending money on an organizing drive, rank and file activists in California know Viking must be organized. L.A. Local 208 has formed a voluntary organizing committee and already has 120 signed pledge cards. It's about time the Western Conference big wigs got on the stick and backed them up.

In the 1930's and early 40's the IBT grew from 75,00 to 600,000 in the great over the road organizing drives led by Farrel Dobbs. One of the best tactics that was used in these campaigns was the "secondary boycott". Teamsters simply refused to handle scab freight. In 1947, however, the Taft Hartley Act made the "secondary boycott" illegal. In the 1950's Teamsters got around this prohibition with the "hot cargo" clause in many contracts. But in 1959 these clauses were also declared to be illegal.

These laws hurt organizing. When a company such as PPG won't acknowledge a union representation election or sign a contract, it is now **illegal** to refuse to ship PPG products. All the union can do is call a "consumer boycott" something that is tough to win against a big company like PPG which sells most of its products to other companies, not to the general public.

Another tactic which companies can use is to buy time with legal delays. This is a favorite of union busters. Again, in the PPG case, while the union won the representation election in July 1978, it was not until September 1979 that the company was forced to recognize the union. And they are still refusing to sign a contract. The way the NLRB works it is easy to stall a union right out of a plant or terminal as the delays give the company time to harass or fire union supporters. That's what labor law reform was about—an attempt to clamp down on these delays. And that's why the labor movement suffered such a big defeat when Labor Law Reform went down to defeat.

#### Corruption Hurts

But while bad labor laws and professional union busters hit hard, it's a cold fact that the IBT is

# WHAT HAPPENED TEAM ORGAN

Overnight, Viking, Ringsby, Coors. Carhaul companies like Bozarth Services. Tankhaul companies like Montgomery. Non-union carriers are on the move. Common Carrier freight, usually union, was off by close to 10% last year. But Private Carrier and leasing company

hamstrung in its organizing efforts by internal union corruption. It's a ready made tool in the hands of the union busters. This was a major reason why the IBT failed to organize the 4,300 workers at Overnite.

Everyone reads the papers. It only makes sense that some people will mistakenly vote against the Teamsters on Monday if they read on Sunday how the government has sued the General President for multi-million dollar losses to the pension fund or how Tony Pro was convicted for murder. Indeed, a PROD study revealed that every time a Teamster official was caught for criminal activity, Teamster election defeats increased accordingly.

#### Where are All the Organizers?

And corruption eats at the union's very willingness to take organizing seriously. In July 1974 the IBT formed a Department of Organizing. The January 1979 **International Teamster**, reported that this department is made up only of a Director, an Assistant Director,

and "seven general organizers."

But there are 43 "general organizers" on the International's payroll. All of them make from \$31,250 to \$37,500. What are the remaining 36 doing for their money?

Several have been indicted and/or convicted for extortion and other criminal activities. The latest of these is the son of General President Fitzsimmons, Richard, who pled guilty to taking payoffs from employers in return for trading away members grievances.

In addition, at least 21 of these 43 General Organizers have multiple offices and salaries, which makes you wonder how much time they have to devote to organizing. Yet these 21 individuals receive over \$900,000 from the union for something they don't spend much time doing. Perhaps this explains why, after nearly 2 years of delays, the union still has not delivered on its organizing drive against Viking Freight Systems (See separate story).

Although undoubtedly many of the Union's organizers in the Department of Organizing, and at

## "POWER"—SOME FAC



Last month TV stations all over the U.S. showed the made-for-TV movie, **Power**, an attempt to show how the Teamsters was organized and how it became corrupt. The central character is Tommy Vanda, clearly modeled on Jimmy Hoffa. Teamsters will quickly recognize Frank Fitzsimmons, Tony Provenzano, and Allen Dorfman among the other characters in **Power**.

While the movie is fairly successful in portraying the forces which encouraged corruption in the union—called the Cartage Workers of America in the film—it has several inaccuracies on how the Teamsters

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# T ENED TO MASTER ANIZING ?

freight, often non-union, soared by as much as 25%.

The result: in contract after contract, Teamsters are being told that they must eat cut-rate clauses or the non-union carriers will take the freight. Why can't the Union stop them?

the conference, joint council, and local level are dedicated men and women who take their jobs seriously, the corruption within the Union cannot but hurt their efforts and the interests of all Teamsters.

## Bad Representation Hurts

During the drive in 1978 to organize Overnite, the union had local officers talk it up at union meetings. But at some of these meetings the officers learned a little from the members. For example, in Cleveland Local 407, a road driver rose to say: "I'll tell you why we will lose the vote at Overnite." He went on to explain that the night before he had slept in a filthy bunkhouse at the Indianapolis Yellow Terminal. He reported that several Yellow drivers were talking about it on the radio, and an Overnite driver broke in to laugh at them as he did not have to stay in such a place.

The Overnite drivers eat at the same truck stops with Teamsters. They hear about the way our grievances are treated by our union officials at the Joint Area Comm-



Teamster mass picket lines won the 1934 Minneapolis strike. Rank and file organizing, not overpaid "General Organizers", led to a 1000% growth in our Union in a 10 year period.

itees. It's no wonder that they voted against the IBT. It's a fact that the best way to organize is to represent the members that you **already** have--then they will organize with their praise and pride of membership. As one steward said at a recent meeting in Local 299: "It's admirable that our officers

want to organize Champion Leasing--but when are they going to clean up the mess at Central Transport?"

## TDU Supports IBT Organizing

TDU strongly supports organizing of the unorganized by the IBT. New organizing is a boon to all

workers as it not only improves the conditions of the workers who join the union, but actually improves the wages of workers **already** in the union. A recent story in the **Wall St. Journal** reports that when an industry becomes highly unionized the workers wages in that industry go up by 10% **MORE** than they would have otherwise. On the other hand, scab outfits are a drag on everyone's wages.

That's why TDU has sent a letter to the IBT making plain our position on organizing the unorganized and offering our support in these efforts. We want to set the record straight once and for all. The charges that TDU is anti-union or that the rank and file movement hurts organizing, these are lies plain and simple. On the contrary, we believe that only a revitalized IBT, controlled by the rank and file, can really make the breakthroughs we need in organizing.

## OPEN SHOP DEFEATED AT CBS RECORDS

On January 31, the workers at CBS Records, in Pitman N.J., narrowly defeated an attempt to make the plant an open shop. The vote, which was called a deauthorization election, could have resulted in removal of the "union security clause", the requirement that all employees become dues-paying members of the union. Instead, this union-busting move was defeated by a vote of 658 to 576.

TDU put out leaflets on why there is a need for a union at CBS. TDU called a meeting where long-time employees talked with younger workers about the many attempts they had made to get a union at CBS and how it is important now that the union is there to make it work for the members.

The deauthorization vote was

In a few short but glorious years in the 1930's the American Labor movement grew from a puny 2 million to over 7 million. In these years of hard fighting and rapid growth the workers were organized by other workers. There were no high paid organizers or attorneys. During this period the unions were more democratic and fought harder for their members than at any other time in history. It made you proud to say you were union. We are still benefiting from those struggles today.

But today, the gains that were won, the pride that was built, is being washed away by the corruption and bad representation that has taken over our union. To become a fighting union once again we must "reorganize the organized" through TDU. It's an organizing strategy that can't fail, for it's a strategy based on making all of us proud to be Teamsters once again.

triggered by the Union "leadership's" failure to meet the needs of its members at CBS. Among the problems which the Union refused to deal with were such things as backing the workers during a dangerous power failure in the plant, the lack of a seniority preference clause in the contract, that health and safety problems are not grievable, the lack of a dental plan, only one sick day per year, and \$4.50-\$5 an hour wages which **virtually force a 6 day workweek**.

Although the Union leadership was passive in the face of company attempts to get rid of TDU activist Deni Gillespie, and although they attacked PROD/TDU, the result of the campaign is that people who used to be afraid to get involved now see the importance of fighting to rebuild the Union through TDU.

## FACT AND SOME FICTION

were first organized.

The young Vanda is pictured as an honest, hard fighting worker who is confronted by the violence of the employers and forced to turn to the mob for help. After successfully organizing workers in his Chicago Local 229 (modeled on Detroit Local 299) he is sent to Indianapolis to help organize road drivers. At first Vanda doesn't understand why the union wants to organize road men. But Indianapolis union leader Jack Eisenstad (who is supposed to be Farrell Dobbs, the leader of Minneapolis Local 574) explains to him the power that controlling the distribution of goods across the

country will give the union.

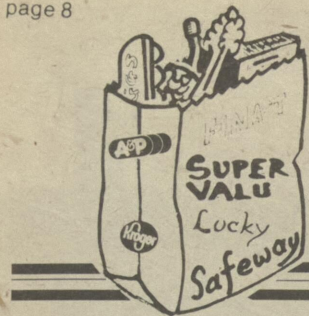
The organizing drive is stalled when a major carrier uses hired gunmen to fight the strikers. Vanda tries to convince Eisenstad the union should use the mob to fight management's thugs. Eisenstad refuses. Vanda then goes to the International and claims Eisenstad's socialist views are the reason the strike is failing. He has the local put into trusteeship with himself in charge--and calls in the mob.

This is patterned on the Minneapolis Teamster strike of 1934, but it departs seriously from what actually happened. The organization

of Minneapolis was accomplished **without the power of the mob**. Power shows the police and vigilantes attacking strikers, similar to what happened in Minneapolis. But it does not show the high level of **rank and file organization** which matched the power of the employer thugs and won the strike. This aspect of the movie gives the false impression that the Union could not have been organized without the help of the mob. In doing so it does a disservice to tens of thousands of rank and file Teamsters who fought hard through the years to organize our union and now seek to return it to the rank and file.







## the grocery bag

Local 175 Officials Sellout After...

# Charleston Kroger Members Lead Strike

Kroger's operations throughout all of West Virginia and parts of Eastern Kentucky and Eastern Ohio were shut down for a month as the company faced a hard-fought strike controlled by the rank and file in Local 175. The strike ended on February 6 as the members accepted, by a vote of 179-93, a 39-month contract with total raises, including cost of living, of \$2.80/hr.

The Charleston Kroger Division was starting out 60c below the pay scale in other divisions. Drivers were only making 20.5c per mile. Kroger aimed to set them even further behind by coming up with a first offer of \$2.40 an hour over three years, well below settlements ratified in other divisions.

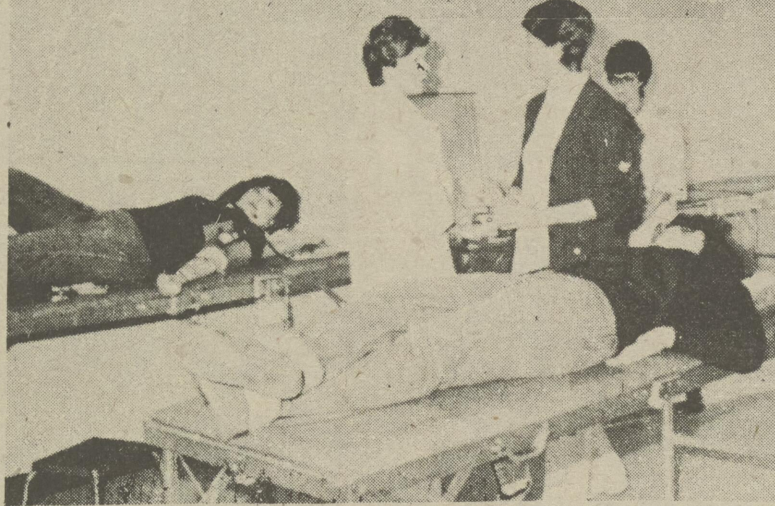
Kroger was initially able to win a week long extension of the old contract when, on January 5, the Local 175 leadership pushed through the extension by a slim margin while Kroger kept 35 drivers on the road with late dispatches. Negotiations lasted for 3 days and then broke off. Kroger's original offer, which threatened to take away warehouse seniority and keep the Charleston division well behind other Kroger divisions, was soundly turned down, 235-28.

### Members Control the Strike

As the strike began, it was clear that Local 175 was not going to assist it. The strike was in the hands of a 10-man elected strike committee, and it was their leadership that shut down Kroger.

Not only did the strikers shut down Kroger's two warehouses in Charleston, but they also closed Kroger's 48 stores serviced by the division. They were supported in their strike effort by the store workers, members of the United Food and Commercial Workers, who respected their picket lines. Their commendable labor solidarity was crucial to the strike.

Other Teamsters supported the strike too. In Charleston, a collection at Smith Transfer brought in \$120 for the striking Kroger workers, and more collections were being taken up by Kroger TDU activists through the Kroger Connection network. The strikers reported that up to \$150 a day was being spent on gasoline alone to keep the flying picket squads going. The phone bill at the strikers headquarters is expected to exceed \$1000. (Any funds collected now will help offset this phone bill.)



**"Blood Brothers"**—Members of Local 347 of the United Food and Commercial Workers Union showed their support for the striking West Virginia Kroger workers by making blood donations and building up a Kroger blood bank. Meanwhile, in the San Francisco Bay Area, Teamster officials were not returning this labor solidarity by allowing Safeway supervisors to take trucks across UFCW picket lines there.

### Kroger Threats

As Kroger began to see the power of the strike, they responded with letters to the strikers' homes. One letter, signed by Kroger VP E. A. Sieveking, warned that the company was "concerned about the effects an excessive contract settlement would have on our ability to operate the facility (the warehouse) in the future."

The strikers counterattacked with letters by wives to the local press to explain their case to the public. Blood donations by Kroger store workers were well-publicized, and had the side benefit of establishing a statewide bloodbank for Kroger employees.

### "Shoved Down Our Throats"

As the confrontation was growing, Local 175 determined to pull the reins on the strikers. On February 6, a meeting was held to take a vote on Kroger's second proposal. The proposal was \$2.80 an hour, improved health coverage, and insurance coverage would be added to anyone retiring under the company plan, which had been a bone of contention. But the contract would be a 39 month contract, watering down the improvement in pay. Mileage drivers would only be brought up to 25c. And like other divisions, the cost of living was still capped.

"I feel the contract was totally insufficient," said Ron Walker Jr., a strike leader and TDU member. "We had it shoved down our

throats by the Local. The insurance package covers only the 22 men who were retiring under the company plan. That leaves about 250 of us retiring under the Joint Council plan without retirees insurance."

The strike's strength, and the local's failure to lead and support it, opened up the eyes of many at Charleston Kroger. They saw they could take on the company, and battle them tooth and nail.

The Charleston strike was an inspiring demonstration that the leadership, organization and solidarity necessary to win decent contract is there in the Teamsters rank and file and in the rest of the Labor Movement. But the Local 175 leadership wanted to make sure the fight never went too far, and that cost Charleston Kroger workers a better contract. It is unfortunate that our Teamster officials at both the local and International level have shown they won't provide the leadership needed for Kroger workers to use their power to stop declining wages and conditions.

The organization developed in Charleston won a better contract and it can be used to make sure that contract is enforced. It can also make Charleston a key link in the TDU-organized Kroger Connection network.

Plans are being made now for a TDU meeting in Charleston. Details are available from the TDU Office in Detroit as well as from TDU activists in Charleston.

Although the gains for women were insufficient in this contract, it is important that both the men and women work together to enforce the gains made. Charley Bros., and its parent company, Super Valu, may try to play on these divisions as they plan to build a new, automated warehouse in the area.

When 20 angry Ever Fresh

Pittsburgh Local 249

## 'Right to Strike' Test at Giant Eagle

Local 249's contract with Giant Eagle foods in Pittsburgh doesn't have a no strike clause. However, a recent 21 hour strike was ended with a court order and the issues being sent to arbitration. While the outcome is yet to be decided, they have given the company a clear message that they are not about to be pushed around.

The union had resisted company efforts to impose its own interpretations on work and pay procedures. In one case management had already ignored a union request for arbitration for three months. The issues involved disputes over payment of a daily guarantee for loaders on Saturdays, time and a half pay for Saturdays for certain new hires, payment of sick days to new employees, a unilaterally imposed company policy on delays before trucks left the warehouse, and finally an absentee control program.

Even though some new arrangements had been negotiated in the contract on absenteeism, the company came back and wanted to impose a new system of progressive discipline leading up to dis-

charge for anyone missing 23 days in one year including days off for sickness and accidents. The Eagle says this discipline would not include bona fide illness, but they want the right to determine what's bonafide. Steward Joe Miller, TDU member, said: "That becomes a 'no-like' policy. Management doesn't have the right to try to get something that was already on the negotiating table. While this exact language was not presented, the absentee problem was addressed and a solution was negotiated."

The union and management argued for hours before Judge Diamond over the union's right to strike. Despite media reports of a wildcat, the union treated this as a completely legal strike, which was overwhelmingly voted by the members and recommended by both Miller and Business Agent Byrnes.

Although Giant Eagle employees will have to wait till arbitration to get action on their grievances, they had drawn the line this time with their right to strike. And you can bet in their next contract they'll be going for a "right to strike" clause that no judge can reinterpret.

## Kroger Bakers Still Pensionless

Hiding skeletons in your closet is a favorite trick of politicians running for office, and Teamster officials are no exception. Among those with a particularly offensive skeleton in his closet is International VP Bobby Holmes and he knows it. Not only does Holmes know it, but the stench has gotten so bad that he has had to resort to a new strategy to cover it up: he's lied about it on the front page of the Local 337 News.

When the Detroit Kroger Bakery closed its doors in January 1979, 250 employees were put out of work. Because of a 1971 change in pension plans (from a company plan to Central States), the closing meant that 100 of these employees would fall just short of the 450 weeks needed in the Central States Pension Plan to qualify for their pensions. Most of these members had over 30 years service—some had up to 44 years seniority—and none of them would get a pension to show for it.

It was Bobby Holmes president of Local 337, who failed to use his bargaining power prior to the closing of the plant to prevent the disqualification of these high seniority workers. It was Bobby Holmes, ex-Trustee of the Central States Pension Fund, who did not use his influence in the Fund to see that at a minimum these employees were allowed to make self-contributions for the remaining weeks in



Joe Urman, Kroger Bakery steward

order to qualify for their pensions. And it is Bobby Holmes, running for re-election in 337 later this year, who has been struggling to pin the blame for this scandal on someone else rather than where it belongs: squarely on his shoulders.

Here is how the lead article in the January Local 337 News begins: "It took a little time in coming, but retirees at Kroger Baking Co. have started receiving Teamsters Pensions." Beneath the article is a picture of some Kroger warehouse employees who have begun collecting their rightfully deserved pensions, misleading some members of Local 337 to think that the Kroger Bakery scandal had finally been resolved.

The sad fact is that none of the Detroit Kroger bakers has received a penny in pension money. The scandal is still a scandal, and Holmes cannot wish it away.

of the contract, a number of grievances were filed.

The results have been remarkable. Local 63 drivers now have a steward. Local 595 has agreed that there can be rank and filers elected to the negotiating team. An examination of the contract has led to drivers now taking their guaranteed breaks. As one member said, "We have a definite new unity. We feel we're going in the right direction."

## Grocery Shorts

Warehouse workers at Charley Bros. in New Stanton, Pa. voted on Jan. 27 to accept a new 3-year contract. They refused a 5-year contract, which the drivers passed previously, and their 3-year contract cuts back the drivers' to 3 years too. Women in the health, beauty,

and repacking section of the warehouse were unhappy with the contract because they will still fall \$1.45 behind the men in grocery. No women have been hired into the grocery section, and the women have had an EEOC class action suit against the company for five years.



# Corruption Backfires on Fight Against Deregulation

The FBI is reportedly investigating as to whether Senator Howard Cannon, (D.Nevada) was "illegally influenced" by Allen Dorfman in his handling of deregulation legislation. They are trying to determine whether Senator Cannon's effort to acquire an interest in a plot of Las Vegas land that was owned by the Central States Pension Fund affected his actions on deregulation.

The investigation started in early 1979 when the FBI's phone tap on Dorfman picked up a conversation between Dorfman and Cannon. Cannon told the *New York Times* that he had contacted Dorfman because "he was the person who came to mind when thinking of the pension fund." Cannon added, "I felt sure he could tell me who to contact at the Pension Fund" to help him with his land transaction.

This comment is revealing considering the fact that since his conviction in 1972 for a \$55,000 kickback he received in exchange for a loan from the Fund, Dorfman has had no official position with the Fund. He continues, however, to insure some of the Fund's borrowers and process the Central States Health and Welfare Fund's claims.

While the details of the investigation are yet to emerge one point is clear: Allen Dorfman is still the man to see for those who want to do business with the Central States Pension Fund. And this is hardly a reassuring sign for rank and file Teamsters whose pensions depend on the security of the Fund's assets.

But just as importantly, the fight against deregulation has been damaged by the IBT's ties to



Allen Dorfman

figures such as Dorfman. From now on, in Congress and in the media, those favoring continued regulation of the industry will be smeared with the mob label. Any congressman who opposes deregulation will do so with the fear that he will also be accused of ties to organized crime and Allen Dorfman. The IBT would do better to mobilize the rank and file and not the mob in the fight against dangerous deregulation.

# Lawson Ok's Double Dipping

Why was International Organizer Joe Whiteford not punished for double dipping on his car allowances? That's a question members of Local 213 would like to see answered. Whiteford was caught collecting two car allowances for the same car, one from Local 213, and one from the International. Apparently two salaries, 85 grand, were not enough for Whiteford. When he was caught, the executive board of Local 213, including International Vice President Ed Lawson, voted "No wrong-doing" and Whiteford received no punishment.

With this sort of example set its hard to take President Fitz seriously when he tells us that "We have an opportunity to turn this country back to its citizens" (Nov.



Edward Lawson

International Teamster p.5). When the IBT is willing to stop free-loading and dictatorship within the union then we'll believe that it's ready to clean up the rest of the country.

# Ga. H&W Trust Fraud U.S. Sues Mathis Jr.

The Dept. of Labor is suing the Union Insurance Trust, "a group insurance arrangement holding group insurance plans" in the words of the Labor Dept. complaint. Many Georgia Teamsters affected by the plan may have been endangered.

The reason: the Trustees of the Fund have allegedly helped themselves to loans from the Trust's assets. In addition, they established companies to collect employer contributions and process employee claims, companies which they owned but which received "excessive fees" from the Trust for its services. While all the Trustees can't be mentioned here, two deserve special note.

**Culprit #1: W. Lamar Mathis, son of Weldon Mathis,** 10th International Vice President of the IBT, Secretary of DRIVE, Director of the IBT Building and Construction division, executive assistant to Frank Fitzsimmons, and President of Atlanta Local 728. Mathis is named in the Labor Dept. complaint as being responsible for the abuse of the Fund's assets when he was a Trustee of the Fund.

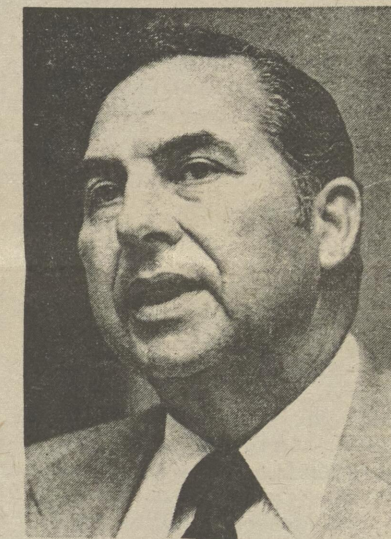
**Culprit #2: C.H. Dillingham.** In January 1977 Dillingham bought a house from Weldon Mathis for \$40,000 even though the property was appraised for \$56,000—a \$16,000 gift. In addition to being a Trustee of the Fund, Dillingham is

Union free to strike. At the initiative of its leadership, Local 623 requested strike authorization and now awaits the decision of the International.

## SHIFT SENIORITY MEANS LAYOFFS IN N.J.

In the beginning of January, the entire 5:00 PM part time shift at the **Secaucus N.J.** facility was laid off.

The layoff involved about 33 part timers, some of whom have several years seniority. Meanwhile, part timers where being hired at Saddle Brook, even though the Saddle Brook facility is only around 20 minutes from Secaucus, and hundreds of newly hired part timers have been put on the 3 hub shifts there, none of the laid off employees were allowed to work at the new facility.



Weldon Mathis

an owner of National Administrators Inc., which is the company which collected employer contributions and processed employee claims for fees which the Labor Dept. is claiming to be excessive.

The Dept. of Labor is seeking to remove Dillingham and the other trustees as fiduciaries of the Trust, to remove them as collectors of contributions and processors of claims, and to prohibit them from holding such posts for 5 years. They are also seeking to require that the defendants personally repay any losses to the fund incurred because of their actions.

Then, about a week or two before the layoff was to occur, some union officials came down to tell the part timers that they could go on the 11:00 PM part time shift at Secaucus. But they were told that if they did go on the 11:00 PM shift they would lose all rights to go back on the 5:00 PM shift if it were ever to be reactivated in the future. Further, if they went on the 11:00 PM shift they would lose all seniority rights for layoff on that shift and would be the first to go.

Even though most of the 5:00 PM people have more seniority than anyone on the 11:00 PM shift, several of them did opt to go on the 11:00 PM shift. They just needed the job that badly. And the company said they should be grateful, that it was a one shot deal, and they were doing the workers a big favor.

## IBT Safety Rep Linked to Mob

# What's in the Bag, George?

The IBT claims that George Chiavola's briefcase is full of important papers concerning the health and safety of Teamsters in the Central Conference.

But according to reports in the *Kansas City Star* Federal government attorneys have stated that Chiavola's bag is jammed with cash skimmed from Las Vegas Casinos by the Kansas City mob. Although word has been out since last August that Chiavola, nephew of alleged KC mob leader Nick Civella, is an alleged courier for the mob, the IBT hasn't tried to remove him from his position as Safety and Health Director for the Central Conference. Chiavola, when questioned about his mob ties, has taken the fifth.

We asked Chiavola what he was going to do about Teamsters getting fired for refusing to pull acknowledged overweights. So far, no response. But then again, George is a busy man.



**Who's Holding the Bag?** (from left to right, Bob Lins, President of Local 299; George Chiavola, "Safety Rep" for the Central Conference of Teamsters; Wilson Holsinger, Local 299 Trustee; and R. V. Durham, Safety Director for the IBT. (Photo credit to Local 299 News.)

government investigation. The workers won \$553 to \$1,106 a piece—and all it cost them was the price of a postage stamp!

## POSSIBLE STRIKE IN PHILLY UPS

As *Convoy Dispatch* goes to press, the possibility of a strike by Local 623 against Philadelphia UPS looms large. The issue has been building ever since last July when Philadelphia UPS attempted to sneak in a contract provision forcing 623 members to take their personal days off all in one week and to give up their triple time pay for Columbus Day.

This is the first major conflict to be represented before the new National UPS Grievance Committee. Somewhat unexpectedly the committee deadlocked and did not vote to arbitrate. Which leaves the

to the Union, they were handed a phone to call their BA. The BAs were waiting for their calls so they could defend the UPS position.

That's when they turned to Chicago Area PROD/TDU for help. TDU activists informed UPSers that under Illinois State Labor Law they were eligible to file Wage Claims with the Illinois Dept. of Labor. When at least 30 UPS workers filed such claims, UPS backed down rather than yield to

## CHICAGO TDU/PROD BEATS UPS PAY RIPOFF

Last September, UPS tried to steal a weeks vacation pay from their **Chicago** employees. All employees who had earned 3 weeks vacation pay were told that due to company error they had received too much vacation pay in the past. To make up for it, UPS was going to take back a weeks pay this year.

When workers threatened to go

# Hang A Column for UPS Workers

# UPS





## CHANGE IT! by Doug Allan

### Your Right To Run For Local Office

Our rights to run for local office and vote by secret ballot are spelled out in detail in International Constitution. In addition, recent legal actions by TDU members have extended some of our rights.

Let's look at what rights we do have, mostly contained in pages 132-145 in the current Constitution.

- You have a right to run if you are a member in good standing, subject to certain limitations listed below. This is in article II, Sec 4(a)(1).
- Article XXII, Sec 2(a) specifies the seven officers who make up the local Executive Board. (President, VP, Secretary-Treasurer, Recording Secretary, and three trustees). Which officer is designated as the "principal executive officer" is left up to your local bylaws.
- Article XXII, Sec 4(a) specifies that the election shall be held in November or December. It also allows the General President to grant exceptions to this rule. It is a good rule to have fixed dates for an election, not leaving it up to the incumbent officers.

#### Limitations

There are two major limitations on eligibility in most locals.

- The first is the "50% attendance" rule, stating that you have to have attended 50% or more of the membership meetings held in the past two years. The Constitution leaves this optional for the local bylaws. Most bylaws have this rule, but it is null and void. Due to a Supreme Court decision involving the Steelworkers, TDUers have made sure this rule was struck down in the IBT. Several TDU candidates have been ruled out by this rule and in every case the rule

ings have been reversed in a matter of days. Usually these candidates went on to win.

• The second limitation is more important because it has not been completely reversed. This is the rule that requires 24 consecutive months of continuous good standing prior to the election. If you paid your dues late one month, or were on layoff and took a withdrawal card during this period, you could be disqualified. The US Labor Department and court rulings state that any rule of this sort must allow a "reasonable grace period" and TDU attorneys believe that in some other cases the rule is also invalid. For example, in Cannery worker locals in California, 65% of the workers may take withdrawal cards in the winter when the canning season ends, and therefore the majority are ineligible to run for office. Similarly, in some construction worker locals. This rule will probably soon be challenged, but in the meanwhile it is a roadblock for some members.

Even if you are not planning to run for local office, you should make every effort to maintain your eligibility by keeping your continuous good standing. Many good members decide to run for office, but find themselves ruled ineligible.

#### Defending Our Rights

The rights specified in the IBT Constitution on running for office should be protected and preserved. Most are there because US law requires it, but they should be protected by the rank and file and expanded; such as including the right to elect BAs and stewards in the International Constitution.

### Join the "100-100 Team"

*"It's not enough for one to dream of an honest, militant, and democratic Teamsters Union. We must work at it. We must support it with money. We cannot expect the government to support our cause, either with loans or grants, even though we are fighting for the very thing this country stands for."*

*"I want to contribute \$100 to the T.R.F."*

Allen Ebert, Local 773  
Allentown, Pennsylvania

To join the "100-100 TEAM" do the following right away:

- fill out the form below
- make out a check or money order to **Teamster Rank and File Educational and Legal Defense Foundation**
- mail to: TRF, Box 10303, Detroit, Mich. 48210

Name \_\_\_\_\_ Company \_\_\_\_\_  
Address \_\_\_\_\_ Local \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Amount contributed \_\_\_\_\_ Date \_\_\_\_\_ Chapter \_\_\_\_\_

My name can be used on a list of donors: ☐ yes ☐ no  
I wish to remain anonymous: ☐ yes ☐ no

# TDU Organizing All Over

## Milwaukee Forms Chapter

Saturday, February 2, some 100 Teamsters met to form a new chapter in Milwaukee. A majority were tank haulers, but freight drivers, car haulers, and grocery Teamsters also joined in. A follow-up organizational meeting was set.

To start off, the chapter will work to eliminate a sub-standard tank haul rider, and to put out a rank and file newsletter for all Teamster members. Many people were already TDU members. Over 40 more joined on February 2.

## Chicago Beats BA's Antics

Setting off a firecracker at a meeting, childish disruption..... these are the tactics of the business agents and pension fund trustee of Chicago Local 710, one of the largest locals in the IBT with 20,000 members. These members pay their president, William Joyce, over \$200,000 a year to locate 'talent' of this caliber.

After the several BAs and Organizers and their 'followers' finished their antics at the Chicago Area PROD-TDU meeting on February 3, the meeting was moved and some 50 local activists held an educational meeting. TDU Organizer, Ken Paff, spoke on the grievance procedure and how to get the most from it and how we need to reform it.

The members present gave themselves and their rank and file chapter leaders a well-deserved round of applause for their restrained and orderly conduct in the face of the antics of overpaid officials, who seem ignorant of basic union democracy and also federal law. The Chapter plans to refresh their memory on the law with some crash courses called 'how to be a defendant.'

The Chicago Chapter has functioning committees including members from several locals in freight, carhaul, tankers, UPS, and other jurisdictions.

## Cincinnati

Following the TDU-PROD merger, a new united organization has been formed in Cincinnati by Local 100 members. Forty Teamsters met January 20 in Cincy and chose a united steering committee and discussed goals.

Several Teamsters also came from Dayton, Ohio and now plan to hold an additional organizational meeting to form a chapter there.

The meeting was co-chaired by Interstate road driver Ernie Harkins of PROD and McLean dockman Carl Daniels of TDU (who was recently elected dock steward and fired the next day for fighting productivity standards). Members came from many shops and jurisdictions, including construction drivers who have been fighting sweethearts deals which undermine their area agreement.

## Kansas City Chapter Forms

Some fifty members met in Kansas City on January 13 to build a new unity and move forward with TDU. Car haulers reported on 250 jobs in jeopardy at United Transport due to the switch GM is making, and on inadequate union protection. Several workers at CertainTeed plants came to report

on their upcoming contract. A bylaws amendment to get the right to elect BAs in Local 41 was reported on. Former employees of the bankrupt Rock Island (Railroad) Motor Transport discussed how to fight being denied their right to follow their work to other carriers which absorbed their work. This matter is being pursued by TDU.

A newsletter, the **Second Class Teamster** was started, and by the second issue had changed its name to the **First Class Teamster** to reflect the goals of TDU in Kansas City. A volunteer steering committee of nine members was formed to get the ball rolling.

Meanwhile, a federal grand jury has subpoenaed the records of Joint Council 56 in Kansas City in an investigation of possible corruption in Roy Williams' territory. TDU here has its work cut out for it.

## Des Moines Local 147 Gets Bylaws

On January 12, Local 147 adopted a set of bylaws for the first time, in a 'surprise' move by the officers. TDU/PROD activists pointed out the local was operating illegally without bylaws and had prepared to introduce democratic procedures for a vote. Secretary-Treasurer Kirshbaum illegally claimed that proposed changes could not be voted on until next year. One year's not long enough to clear the winds of change that have just begun to blow in Local 147.

At a TDU meeting the same day, TDU Organizer Ken Paff addressed the chapter and the members evaluated where they stand. Not

only had the chapter forced bylaws to be drawn up, but also they had exposed that grievances were being dropped mysteriously by local reps. All three TV network stations covered the meeting so area Teamsters are well aware of the new chapter and its goal of better representation in Iowa's largest local.

## "Local 252 TDU Chapter" in Elma

"Local 252 TDU Chapter" was organized February 3, when twenty area Teamsters joined TDU and elected five officers. The next meeting was set for Sunday, February 24 in Elma, Washington.

Bylaws reform amendments have already been introduced at the January union meeting, and the new Chapter also plans to expand to more jurisdictions. The founding members are mostly in construction. Seattle attorney Robert Gibbs attended the meeting and has agreed to aid the chapter. The chapter can be reached by writing PO Box 211, Rochester, WA 98579.

## Kingman, Az.

Twenty five road drivers met at a TDU Organizing Meeting on February 9 to discuss action on problems of Local 104 members in Northern Arizona.

Local 104 is based out of Phoenix but has a few hundred members in the northern half of the state also. TDU's goal is to build a united rank and file effort throughout the area.

The meeting was organized with the aid of the Los Angeles TDU Office and Roadway line drivers.

# TDU Meetings

#### Allentown Area

March 23 2:00 PM  
Trexletown Fire Co.,  
Rt 222 and 100

#### Atlanta

Sunday, Feb. 17, 1pm.  
Edgemont Motel—Atlanta  
I-285 and Moreland Ave. SE

#### Birmingham

Sun., Feb 17, 8pm.  
Hyde House—Birmingham  
21st St. N. off I-59

#### B.C.-Yukon

Thurs., March 6, 7:30 pm.  
Coach house Motor Hotel  
North Vancouver

#### Central Transport

"Time for Action"  
Sun. Feb. 24  
For more info: (313) 842-2600

#### Dayton/Xenia, Oh.

Sun. March 2, 2pm  
Home Federal Savings & Loan  
1290 Monroe Dr., Xenia  
(across from hospital)

#### Detroit-Metro

Feb 24, 1pm  
P.L.A.V. Hall,  
4930 Central at Michigan

#### Eastern Pa.

Mon, March 10, 7pm  
Holiday Inn, Barnesville

#### Kingsport, Tenn.

Fri., Feb 15, 6pm  
Bonanza Steakhouse  
E. Center St., Kingsport

#### Local 252 TDU

Sun., Feb. 24, 2pm  
VFW Hall, Elma, Wash.

#### Lansing

March 2, 2pm  
Eagle Hall,  
4700 N. Grand River

#### Los Angeles

Sun., Feb 10, 12 noon  
Cerritas Park

#### Los Angeles—dance

Sun., March 15, 9pm to 1am  
A.V.I.O. Dutch Hall, Anaheim  
Donation \$7. Info: (213) 866-8862

#### Port Huron, Mich.

Sun., March 16, 2pm  
Watch for details

#### Rocky Mount, N. Carolina

Feb. 19, 6pm  
Rocky Mount Travel Inn  
301 Bypass North (old holiday inn)

#### SHOC Mtg.

Fighting Rate Cuts & Contract  
Erosion  
March 29  
Info: 412-232-3230 or 313-842-2600

#### St. Louis

March 30 Watch for details

#### Toledo

March 1  
Holiday Inn North  
Manhattan Rd nr. 280-57 Intersect.

#### Western New York

Labor Social/Party  
Sat., March 1, 7pm to midnight  
Unitarian Church hall  
695 Elmwood Ave. near Kerry

#### Western Pa.

Steering Committee Mtg.  
Sat., Feb. 16  
21st and Smallman, Pittsburgh

#### Western pa.

Training Conference  
March 15, 12:30 to 6pm  
205 Market St., Pittsburgh

#### Winston-Salem, NC

Sat., Feb. 16, 1pm  
Travel Host Motor Lodge  
Old Hwy 52-Patterson Ave Exit



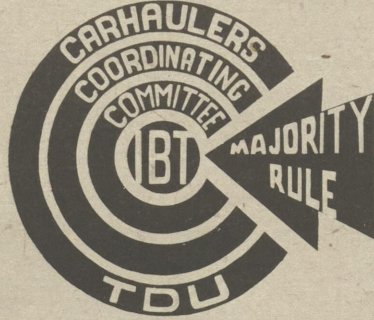
# GM and ATI Cases Nat'l Committee Dumps 2000

January 9, a special panel of the carhaul National Joint Arbitration Committee heard a complex set of 15 grievances on job security. Never before has a single panel of only 8 men determined the livelihood of thousands of carhaulers in a single day.

Details of this hearing are still incomplete as **Convoy Dispatch** goes to press, but the general outcome is not. The Union gained absolutely nothing for the members. Thousands of carhaulers will lose their jobs or seniority.

GM's consolidation of its carriers, except in Michigan and Ohio, accounts for the majority. In Northern California, Insured drivers will go to the bottom of the PMT's board. In other areas no purchase of equipment is involved so drivers will either plead to be hired at the company taking over or chase their jobs up the road.

Commercial drivers in LA can either "hope" to be hired at PMT or transfer to Salt Lake and Denver, where CCI is displacing Cooper. Those Jack Cooper employees will join others from the closed OK City terminal and those laid off in Kansas City, Missouri, in taking



over the jobs of United workers at the Kansas B-O-P plant. Most KC United drivers will be flat out of a job. United reportedly has few openings elsewhere in their system.

The most unfortunate victims of the GM shifts can join the unemployment lines with their brothers and sisters from the 9 terminals of Automobile Transport Inc. Ford's shift of all traffic from ATI triggered the company's bankruptcy. The National Committee rejected their request to follow their work to other carriers, even at the bottom of the board.

This displacement of thousands of carhaulers, many of whom gave

their lives to this industry, was completely unnecessary. The affected terminals had joined in a grievance advocating that people stay doing the work they had always done. This would have been possible under Article 5, Section 4 of the carhaul contract.

This grievance was backed by petitions of over 1,000 carhaulers, many from other companies. While this solution would have been a departure from previous practice, it would have kept the disruption of GM's decision and the ATI bankruptcy to a minimum. These events signal changes which are coming in the industry. They also show glaring weaknesses in the job security provisions of our contract. Change will come, because it will have to. But the Grievance Committee decision means the change will be too late for thousands.

The committee showed its worst colors when it failed even to order that the companies picking up the traffic hire by seniority from the affected companies before hiring off the street. This would have cost almost nothing. While it would not have protected everyone, it would at least have given a few people a job, particularly those who are older who will have trouble getting a job and need only a few years to qualify for a pension. They recognized the justice of this small step by "recommending preferential hiring," but a recommendation has no teeth in it. This "recommendation" is a PR job and merely adds cowardice to the committee's lack of wisdom.

Recently the industry sent out a questionnaire designed to "improve communications." They constantly ask us for cooperation and special deals for the good of the industry. Management personnel have recently expressed distress at the fact that a majority of carhaulers have voted no on our contracts every time in 1976 and in 1979. The industry's refusal at least to hire those thrown out in the GM and ATI cases should serve as a reminder of exactly how much these guys care about the people who have hauled their cars and made all their profits.

## TDU Wins New Rights in Canada

In a precedent-setting case before the Canada Labour Relations Board, G. Massicotte, a worker for Humes Transport, who has been fired and refused representation by Local 938, has finally received some justice.

Massicotte worked as a part time dock worker for over 2 years. He paid full union dues. But he was denied union membership because of his part time status. When he was fired due to lack of work, the Union rep, Rec. Sec. F. Johnson, refused to accept his grievance.

In his two years of employment, Massicotte's wages had changed from \$6.85 in 1977 to an even \$6 by the end of the year, and to \$6.50 in

1979. This was \$2 below the rate paid union members doing the same work.

The Board ruled Local 938 ignored the labour law in refusing to represent him. It ordered the union to pay all costs of arbitration, costs of legal counsel for Massicotte, and his reasonable expenses. Also, if the arbitration awards compensation, that will be paid by the Union. Both this expense to the local and the injustice to Massicotte would not have occurred if Johnson had done his job.

The whole case was handled by the rank and file with key input from TDU. It led to a key victory for all members.



As reported briefly in the January issue of **Convoy Dispatch**, TDU activist and builder, Wilbur Warren, of Complete Auto Transit in Flint, Michigan, passed away on January 1.

Wilbur's down home wit and wisdom made him a favorite among TDUs, especially among other activists in the Carhaulers Coordinating Committee, of which he was a founding member. He always brought a needed touch of laughter with him and he seemed to shed much light on our meetings, even at the cloudiest of times.

Wilbur's long-time interest in the Teamster reform movement was vividly obvious to all who knew him. At least twice in recent years, he took a week of vacation to devote time to campaigning in order to help the Union reform cause. In the fall of 1978, Wilbur travelled to meetings in St. Louis and Kansas City to help build the Carhaul Contract fight. Wilbur was so dedicated to TDU that even after a severe heart attack last fall, he attended the Rank and File Convention in November.

Our sincerest condolences to his wife, Nila. A void has been created by the passing of Wilbur Warren—one that will never be filled. He will be missed.

## Time to Organize CertainTeed Contract Up

Members of Teamster Local 41 at CertainTeed-Saint Gobain's giant fiberglass insulation plant #7 in Kansas City, Kansas are facing a tough fight when their contract expires at the end of February. The Company, one of the three largest insulation producers in the U.S., has had a slow year and is in a fighting mood.

The present contract covers 700 Teamsters in the 10,000 member local run by Roy Williams. This contract is a typical "second class Teamster" arrangement. We've been putting up with wages that are two to three dollars below the NMFA level, an unfairly run incentive system that sets Teamsters against each other, a ridiculous cost of living formula that allows 1c per full CPI point, and a pension program that won't keep our retirees in dog food.

The last thing CertainTeed wants to deal with at contract time is hundreds of active and informed Teamsters. That means a lot more pressure on them for a decent contract. TDUs at CertainTeed want to help build this pressure.

We think a contract committee made up of all concerned CSG workers can do a lot to increase unity and participation by the membership. We can spread the word on contract issues through leaflets and our newsletter. We can increase the turnout at contract meetings and help make sure any substandard contract offers get the treatment they deserve. Let's get organized now so we don't get stuck with another "second class" contract for the next three years!

by Steve Vieux, Local 41

## NY TDU Hits Bias

TDUs working at the New York City Housing Authority (NYCHA), Local 237, have taken on a supervisor's discriminatory practice of filing derogatory memos in the personal folders of minority workers.

This sort of tactic backfired badly, as TDU's willingness to expose discrimination won respect for its principles. A group meeting will be held where concerned members of local 237 will present their charges of discrimination.

## Six Way Split

The abuse we can expect of Art. 47 on backhauls with layoffs is seen in 2 Detroit cases. At **Commercial Carriers** the Nat'l Grievance Committee let CCI backhaul from terminals with layoffs above 2 years with cars "taken off the rail" on an occasional basis, even though they aren't 'approved competitors' as spelled out in the contract. At **Detroit M&G** there are layoffs of 9 years. Yet New Stanton Pa. (VW) drivers are made to pull 'competitive' loads out regularly. The New Stanton terminal was set up to haul local traffic only, with all long loads backhauled, at cut rate mostly. The New Stanton Local never signed any competitive agreement. Groups of angry Detroit drivers have visited their terminal twice, moving onto the Union Hall. On one occasion BA's persuaded New Stanton drivers to unload. The Detroit Local is asking the National Committee for an interpretation. Want to bet on the outcome?

**Cutbacks in maintenance are hurting laid off mechanics and endangering drivers** as companies cut back. **Flint Boutel** is running 90 trucks using 3 mechanics, a fuel man and a tire man. **E&L dearborn** drivers report trucks running way past service dates. No mechanics are on duty many times when drivers are expected to load.

We reported earlier on E&L's discharge of a driver for 'theft' over a 1 hour company mistake in paperwork. Well, they did it again. Now drivers are afraid to cash their pay checks before they've checked to find any management screwups. It shows how much respect the employers have for the Union.

Despite assurances by FJ Boutel the shift of yard and shop people to 'All Car, Inc' is causing concern about what protection people will get if Boutel is broken up and sold. A full report next month.

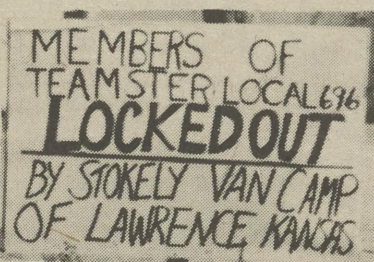
## Stokely Rank & File Spread Strike, Use Mass Picket! "We Won't Work For Beans"

As **Convoy Dispatch** goes to press, 205 Teamsters employed by Stokely Van Camp in Lawrence, Kansas have been locked out for almost 2 months. But the action is just beginning, because on February 9, pickets from Kansas set out to spread the strike to Indianapolis, Columbus, OH, and Fairmont, MN plants of the giant corporation.

Strike headquarters, in the home of a steward, reports that the responses has been "great. Everyone respected the line at Fairmont, where some 500 people work."

In addition, a mass picket line of 100 were on hand in Lawrence on Monday morning, February 11. These militant actions are long overdue, since Stokely has refused to bargain and locked out the members of Local 696.

Now the company is taking notice. On Feb. 11 they ended the 'lockout', but with 100 pickets outside the plant, only one person reportedly scabbed.



Spreading the strike to other plants is the **only way** to effectively force a corporation like Stokely Van Camp to bargain. In fact, the Lawrence plant is one of five baked-bean plants in the country.

For weeks, determined rank and file Teamsters have demanded sanction to spread the strike. Keith Davis, a steward and strike leader, told **CONVOY DISPATCH** "we're finally moving now. We've got some muscle in it and spirits are up 1000%."

These Teamsters are paid only \$4.50 to 6.48. They now get a monthly pension of \$5 for each year

of service (that's \$125 at age 65 with 25 years worked). Their modest demands include a \$.60 a year wage hike, a small pension improvement, and a common expiration date to match other Stokely plants. This company, with profits over \$14 million for last year, decided to lock-out rather than grant these modest demands.

The rank and file have done a magnificent job. Rank and file committees have coordinated picketing, fund raising, and community support. And they have put the heat on union reps at meetings to demand action to expedite strike benefits and spread the strike—the only tactic that can save the union and win a contract.

These Teamsters deserve the support of all of us—you could help by backing them if they picket in your area, or by sending contributions to Stokely Workers Emergency Aid Team (SWEAT), Box 1314, Lawrence Kansas, 66044.



# Tankers Need Right to Vote on Riders Rank and File Fights Schwerman Swindle

In Milwaukee, Oglesby, and other terminals in the Midwest, Schwerman has pushed through cutrate contracts forcing its drivers to work for \$.21 to .25 a mile. The drivers have voted these cutrates down, and only with trickery, fast talking, and outright dictatorship have they been pushed through. Now Schwerman drivers are organizing to kill these cutrates and restore their wages to the Central States Tanker or Dry Bulk full rates

## Special Commodities Bites Back

In Milwaukee the company claimed that the Malt and Corn starch that are under the new rate is 'new work' that is being diverted from the rails. They say that they are "special commodities" and therefore can be paid cutrate under the special commodities clause in the Central States Contract. We reported on this dangerous clause in the last issue of **CONVOY DISPATCH**, and it appears that the Milwaukee drivers are its first victims.

But old timers know for a fact that they have been hauling corn flour and malt in Milwaukee for years—and at full rate. They know that its going to be impossible to tell "new work" from the rails apart from old work. They know that it means that their contract will be gutted.

When steward Bob Hauser pointed this out at a Local 200 meeting, that the special commodities clause would be a cutthroat tool in the hands of Schwerman trucking, he was poo-pooed. But when the local rider for Schwerman was unveiled, with its \$.21 a mile rate,



the men were not about to be fooled; they voted it down 125 out of 125. They told BA Ken Freisner that they would strike to stop it then and there.

But instead of stopping the rider, BA Freisner went down to Chicago where the Joint Area Committee rammed the cut rate deal down the Milwaukee men's throats. Schwerman was so sure it would win that it had already bought new trailers and acquired new permits for routes running from West Virginia to Utah for the special commodities haul.

## "Fire In Their Hearts"

"The special commodities clause and the subsequent 'addendum' has struck fire in the hearts of the tank drivers of the entire Milwaukee area, including Schwerman, Indianhead, Bulk, and others," declared George Feld, a Schwerman driver from Local 200. The result: almost 100 tankhaulers jammed a meeting called by TDU

in Milwaukee on Feb. 2. They developed an organizing plan to kill the special commodity rider when it comes up for renewal on April 26 and stop attacks on their contracts in the future.

## Dry Bulk: Who Ratified this deal?

In Lasalle, Illinois, Terre Haute, Green Castle, and other terminals the Schwerman drivers are covered by the Cement and Dry Bulk Agreement. Normally they receive

incentive pay of \$7.30 an hour for every 26 miles driven (about \$.28 per mile). But in many areas Schwerman has used its ability to ram through riders at the Joint Area Committee to set up a cutrate contract.

In Lasalle, the men have been told that a list of 'special' products will be hauled for about \$.21 1/2 a mile, \$.675 per hour, from now on. This 'special list' just happens to include Fly Ash, which is one of the staple commodities that has always been hauled by the Local 722 Schwerman drivers in Lasalle.

When this cutrate came up at the union meeting the men insisted that this be changed and that Fly Ash be dropped from the list of cut rate commodities. The BA agreed, only to reverse himself and say that he couldn't make this change or it would be an "unfair labor practice". In the mail ballot that followed, the rider was approved but Schwerman drivers were not satisfied. "Normally we got a little bit of input in our local addendum, but this time we only got a chance

to vote the thing up or down."

## Members Overruled in Danville

In Danville, Ill., Local 26 the situation was even worse. Here drivers voted down the master Dry Bulk as did drivers throughout the Midwest. Their steward, Tillman Hollifield, was in Chicago when it was reported that the contract had been rejected overwhelmingly. They were told that the contract was to be renegotiated and again submitted to the members.

But it never happened. At the meeting of Danville Local 26 Schwerman drivers they were told by the tanker BA that the contract had been passed without a second vote by the membership. When they pressed for explanation they received none. Legal action is being investigated.

The big reason why the men voted the master down in Danville was identical to that expressed in Milwaukee and Lasalle: the right to vote on local riders and all contracts. "We see it as a question of the majority ruling" said Tillman Hollifield.

## Ontario Strikers Fight For Jobs

Some 200 Teamster are into their fourth month on strike against McKinlay Transport. This is no ordinary strike. **The 200 men are actually fighting for the jobs of Teamsters numbering in thousands.** And they are not just fighting McKinlay Transport, but the 'Matty Moroun Octopus' described in the January **Convoy Dispatch**.

Since last June, McKinlay (and

the US parent company, Central Transport) have been running high way drivers across the border and eliminating the jobs of city-men at the border. Both US and Canadian Teamsters have a big stake in it. Hundreds of members of Detroit Local 299 work for Canadian carriers at the border. Jobs have already been lost at similar operations at the Buffalo-Ft. Erie border area. "We've had more US drivers donate money than anyone. The ones who work the border know what this means," a striker told **Convoy Dispatch**.

Unfortunately, some Teamster officials don't seem to know what it means. Ontario Joint Council President Charles Thibault, recommended a 'yes' vote on a contract offer on February 7, which would have cost numerous jobs. This

proposal would allow Toronto-based highway drivers to run past Windsor to Michigan terminals. He got a majority in his Toronto local to approve it, but the Windsor strikers voted a solid 'no.' The strike continues at our press time. The Windsor officers have backed the members in standing firm for job security at the border operations.

Certain Michigan officials, notably Neil Dalton, have been remarkably favorable to Central's management. A set of phony "charges" were drawn up against officers of the striking locals. Charles Garavaglia (Central-McKinlay's labor boss) attempted to get Teamsters to sign them. The charges indicate that a 'blind copy' was forwarded to Neil Dalton. Strikers are simply asking 'why?'

## Heat's On Moroun's Empire

Following last month's article detailing the contract cutting of Central Transport's Matty Moroun and his buddies in the Union, the TDU Central Network has grown into many areas. New outrages have come to light. But even more important, rank and file resistance is on the rise. The TDU sponsored meeting of Moroun employees on February 24 can take important steps to weld this isolated activity into an effective, unified fight.

At an NLRB hearing February 6, a tape recording proved Central had **collaborated with Grand Rapids Local 406 to blackball a prospective employee** for union activity.

We have also heard Martin Hands, head of Jackson Local 164, signed an "addendum" to the freight agreement providing "**dock coordinators who are paid \$2 below scale.**" Changing the name of dockworkers can't change the fact such deals have supposedly been forbidden by the International.

Meanwhile, out of Ohio and West Virginia comes a reminder of Moroun's ruthlessness as he expanded his empire by buying companies and rights. He bought rights from Associated Transport when it went broke in 1976. He ignored the seniority provisions of the contract on hiring the former AT drivers. The grievance panels

approved this injustice based solely on the company's word that Central Transport and Central Cartage "are not related in any form." **Even Frank Fitzsimmons called this "the greatest subterfuge I have every heard of."**

**The Quad States Leasing NLRB case out of New Buffalo Michigan will go straight to the heart of the matter, proving that Moroun's operations are all part of the same octopus, strangling our contract and our rights.**

The Quad States NLRB Complaint has been updated to block any change of operations before the NLRB decision. The second Union hearing on the change is set for March, but the NLRB has the power to block this by court injunction. The Quad States drivers will also seek to block the attempt by the International Union to move them into Kalamazoo Local 7.

The pressure is beginning to show. Cadillac Leasing has been virtually shut down due to slow business, but also in the hope the Local 299 Central workers will forget the threat it poses in the long run. Also, Central VP Bob Goodheart recently traveled to New Buffalo full of sweet talk and promises, but Moroun has pushed too far. The drivers said "no thanks."

Brokers are still getting ripped off on fuel, and in the Castings Division their contract isn't signed yet—10 months overdue.

**Some of the sweetheart contracts we have on file don't even require that drivers join the union.**

Our NLRB and court actions are important, but only a small part of

the fight. On February 24, there will be a meeting for all employees of the Moroun empire—we will pool our knowledge, our legal tools, and we will build rank and file fight. We've got only one way to go—up. And we won't quit till we win our rights.

## WATCH WHAT WE DO—NOT WHAT WE SAY!

**Convoy-Dispatch** brings you the truth about what's happening in our union. But more importantly, its about **action** that TDU and Teamsters like yourself are making happen: ► An important TDU election victory in Hartford Local 559; ► TDU-PROD legal action changes the IBT Constitution; ► TDU reveals the previously-secret 'black book'; ► TDU organizing spreads . . . and much more. If you support the movement of Teamsters who mean what they say and back it up with **action** . . . then **JOIN TDU!**

Name \_\_\_\_\_ Local Union # \_\_\_\_\_  
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City \_\_\_\_\_ State/Prov. \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Company \_\_\_\_\_  
City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐  
Production ☐ Other \_\_\_\_\_

- ☐ \$15 basic membership fee—for one year's membership and subscription to **Convoy Dispatch**
- ☐ \$25 membership fee for all Teamsters who can afford it. (\$5 of this will go to the local chapter)
- ☐ \$10 for spouses and retirees, and Teamsters who gross less than \$10,000 a year
- ☐ I want a bundle sub to **Convoy Dispatch**. Prices per issue are: ☐ 100-\$7 ☐ 50-\$5 ☐ 20-\$3 ☐ 10-\$2



## Join TDU!

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210



**There will be a system wide meeting called by TDU for Sunday, February 24, in Detroit. So far the response has been fantastic—keep it up. For details call the TDU office at [313] 842-2600.**